

Exhibit 2

AFFIDAVIT FOR SEARCH WARRANT

Commonwealth of Virginia

VA CODE § 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relation to an offense substantially described as follows:

Possession of Heroin, a schedule I narcotic, with intent to Distribute in violation of Virginia code section 18.2-248.
 Possession of Cocaine, a schedule II narcotic, with intent to Distribute in violation of Virginia code section 18.2-248.

CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows:

The entire dwelling and outillage located at 3309 4th Avenue, located in the City of Richmond, north of the James River, and all persons therein. The residence is a two story dwelling, brick in color, and the numbers 3309 are clearly marked on the top step leading up to the front door. The dwelling is listed as a single family dwelling.

CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

Heroin, a schedule I controlled substance, Cocaine, a schedule II controlled substance, and any paraphernalia used in the preparation, packaging, and distribution of Heroin and Cocaine. Any instruments of the illegal drug trade and fruits from the sale of Heroin and Cocaine, any electronic devices used to aid in the distribution of Heroin and Cocaine, any firearms and ammunition, any financial records and any written records identifying any person (s) involved in the illegal drug trade, and or indicating residence of the dwelling.

CONTINUED ON ATTACHED SHEET

FORM DC-338 (MASTER, PAGE ONE OF TWO) 07/06

(OVER)

RECEIVED AND FILED
CIRCUIT COURT

FEB 23 2012

DEVILAN CLERK

CASE NO.

150

**AFFIDAVIT FOR
SEARCH WARRANT****APPLICANT:**

Jason B. Norton

NAME

Richmond Police Detective

TITLE (IF ANY)

200 West Grace Street

ADDRESS

Richmond, Virginia 23220

Certified to Clerk of

City of Richmond

CITY OR COUNTY

Circuit Court

on February 23, 2012

DATE

Magistrate

TITLE

SIGNATURE

Original Delivered ☒ in person ☐ by certified mail☐ by electronically transmitted facsimile

to Clerk of

Richmond

Circuit Court

on

28 Feb 12

DATE

MAG

TITLE

E. A. [Signature]

SIGNATURE

Complete only if different than above:

Copy delivered ☐ in person ☐ certified mail☐ by electronically transmitted facsimile

to Clerk of

CITY OR COUNTY OF ISSUANCE

Circuit Court

on

DATE

TITLE

EXHIBIT

3

4. The material facts constituting probable cause that the search should be made are:

See attached page.

5. The object, thing or person searched for constitutes evidence of the commission of such offense.


6. ☒ I have personal knowledge of the facts set forth in this affidavit OR

7. ☒ I was advised of the facts set forth in this affidavit in whole or in part, by an informer. This informer's credibility or the reliability of the information may be determined from the following facts:

See attached page.

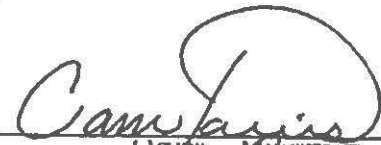
The statements above are true and accurate to the best of my knowledge and belief.

Richmond Police Detective
TITLE OF APPLICANT

 3ce1 Jason B. Norton
APPLICANT

Subscribed and sworn to before me this day.

February 23, 2012 @ 1:05pm
DATE AND TIME


CLERK X MAGISTRATE JUDGE

4. The material facts constituting probable cause that the search should be made are:

On February 23, 2012 this affiant was contacted by a reliable confidential informant (CI) that was inside 3309 4th Avenue within the past seventy two (72) hours and observed illegal narcotics being distributed. The (CI) stated to this affiant that there were three black males inside the address all of whom were selling different types of drugs. The (CI) stated that a black male known to them as "BUMP" was inside 3309 4th Avenue packaging heroin for street level distribution. The (CI) stated that "BUMP" was weighing amounts of heroin on a small black digital scale and then taking that amount and placing it into packaging for street level distribution. The (CI) also stated to this affiant that a black male known to them as "MAL" was selling crack cocaine from inside 3309 4th Avenue. The (CI) stated to this affiant that "customers" walk through the side door of the residence close to the rear of the house. The (CI) stated that these customers are in and out of the residence very quickly. The (CI) also stated to this affiant that they have observed other black males not known to the (CI) come to the house and leave large quantities of narcotics to be distributed. The (CI) stated to this affiant that they observed numerous other black males selling drugs inside the address on several occasions.

This affiant has been conducting an independent police investigation into the address of 3309 4th Avenue for over three (3) months. This affiant has been in constant contact with the Richmond Code Enforcement Division in reference to the address. The Code Enforcement Division has the address listed as an illegal rooming house. The address is listed as a single family, two story dwelling on the Richmond City website. This affiant has observed heavy foot traffic coming and going from 3309 4th Avenue. The individuals that frequent this address walk up to the side entrance door from the street and stay for a few seconds. This affiant has observed males that drive up go inside for a few minutes and then come back out to leave. Also during this investigation this affiant has been in weekly contact with Fourth Precinct Focus Mission Team members as to complaints they have been receiving about the constant drug activity at 3309 4th Avenue. The Fourth Precinct Focus Mission Team also stated to this affiant that they have conducted stationary surveillance and observed the same foot traffic consistent with narcotics dealing.

This affiant knows through training and experience that narcotic transactions occur very quickly. This affiant knows that buyers will go to a drug house, pay their money, receive illegal narcotics, conceal them on their person, and then leave quickly. This affiant has conducted hundreds of controlled narcotics buys, and had observed numerous hand to hand transactions that typically take very short periods of time. This affiant has also debriefed many drug dealers and users that have stated that drug transactions transpire fast.

GLOSSARY:

"BUMP"- Deunte Lonell HUMPHRIES, 309-86-2489, 08/03/1980

"MAL"- Jamar Dontae GILLIAM, 228-35-6865, 07/23/1985

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This affiant has observed both of these individuals coming and going from this address on numerous occasions during this three (3) month investigation. This affiant has visually shown pictures of these two individuals to the (CI) and the (CI) confirmed them as the two individuals that are selling drugs from inside 3309 4th Avenue. The (CI) stated to this affiant that both GILLIAM and HUMPHRIES are residing in rooms at 3309 4th Avenue.

Further, during this three (3) month investigation this affiant has arrested several individuals in the area of the 3300 block of 4th Avenue for Possession with Intent to Distribute Schedule I and II narcotics. This affiant has then debriefed several of those arrestees and they have provided 3309 4th Avenue as a house where illegal narcotics are being distributed. Some of the arrestees have also provided the nicknames of "BUMP" and "MAL" as the main distributors of the illegal narcotics.

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6.

This affiant has been a Richmond Police Officer for over seven years and is currently a Detective assigned to Special Investigations Narcotics Division. This affiant has received training involving the illegal drug trade while attending the Police Academy. This affiant has also attended training through Drug and Narcotics Interdiction Schools at the Richmond, Chesterfield Police, and State Police Departments Training Academies. This affiant is an instructor at the Top Gun Narcotics School at William and Mary. This affiant has made in excess of one hundred arrests involving the possession and/or distribution of illegal narcotics specifically cocaine, heroin, and marijuana. This affiant's arrests have gained convictions in General District, Circuit, and Federal Courts. This affiant has written in excess of forty search warrants. This affiant's search warrant arrests have gained convictions in General District, Circuit, and Federal Courts. This affiant's experience is that those involved in the sale of illegal drugs commonly possess firearms in an effort to protect themselves, their drugs, and the cash proceeds from the sale of their drugs. Through this affiant's training and experience it is common for those who buy/sell illegal narcotics to hide those drugs on their person to include: shoes, socks, underwear, undergarments, pockets, etc., in an effort to conceal those items from the police.

Affiant: Jason B. Norton
February 23, 2012

CP
2/23/2012

7.

The confidential informant mentioned in this affidavit is considered reliable to this affiant based on information they have provided this affiant for the past two years. This confidential informant has provided this affiant with information regarding criminal activity that has been proven through independent police investigation. This confidential informant has provided this affiant information that led to the arrest of two (2) individuals wanted on outstanding warrants in the City of Richmond. The confidential informant has given information that has led to the arrest of six (6) individuals that were involved in the illegal drug trade. The confidential informant has provided this affiant with information that has led to the obtaining of two search warrants. The search warrants have led to the arrest of three individuals and the seizure of illegal narcotics. Those arrests have gained convictions in Federal and State Courts. The confidential informant has made several controlled narcotic purchases. Finally, the confidential informant has recognized individuals known to this affiant that sell illegal narcotics. The confidential informant has used cocaine and heroin in the past and is familiar with the way cocaine and heroin is packaged for street-level distribution. In addition, the confidential informant is familiar with the methods used by those who distribute street-level drugs.

CHP
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